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Notice of Allowability	Application No.	Applicant(s)	
	10/008,394	HUMMER, ROBERT G.	
	Examiner	Art Unit	
	Victor K. Hwang	3764	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed September 12, 2005.
2. ☒ The allowed claim(s) is/are 1-5,9,11-20,22-24,26-31,33,34,36 and 37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20050923</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric J. Groen on September 23, 2005.

2. The application has been amended as follows:

In the Claims:

A) Amend claim 1 as follows:

- 1. (Currently Amended) A weightlifting apparatus for supporting a dumbbell, the apparatus comprising:
 - first and second side frames;
 - an elevation adjustment mechanism carried on the first and second side frames;
 - a cross-support mechanism having collars at opposite ends of the cross-support mechanism, and the collars being coupled to the elevation adjustment mechanism, the cross-support mechanism being comprised of a horizontal crossbar, ~~the dumbbell supports mounted on the crossbar;~~
 - a crossbar mounting portion for movably adjusting the dumbbell support along the crossbar;

means for latching the crossbar mounting portion to the crossbar in a plurality of discrete positions; and

at least one dumbbell support coupled to the cross-support mechanism ~~the~~ for supporting a dumbbell in a plurality of different elevations and lateral positions, the dumbbell support mounted on the crossbar.—

B) Amend claim 12 as follows:

-- 12. (Currently Amended) The weightlifting apparatus of claim 7 1, wherein the dumbbell support comprises two dumbbell supports.—

C) Amend claim 13 as follows:

-- 13. (Currently Amended) A weightlifting apparatus for supporting a dumbbell, the apparatus comprising:

first and second side frames;

an elevation adjustment mechanism carried on the first and second side frames;

a cross-support mechanism having collars at opposite ends of the cross-support mechanism, and the collars being coupled to the elevation adjustment mechanism;

at least one dumbbell support coupled to the cross-support mechanism ~~the~~ for supporting a dumbbell in a plurality of different elevations and lateral positions;

the elevation adjustment mechanism comprises:

a threaded screw supported on each of the first and second side frames;

a rotative drive coupled to both screws for bi-directionally rotating both screws;
and
the cross-support mechanism coupled to each of the screws for elevational movement.—

D) Amend claim 34 as follows:

-- 34. (Currently Amended) A weightlifting apparatus for supporting a dumbbell, the apparatus comprising:

first and second side frames;

a pair of dumbbell supports operatively coupled to the first and second side frames, the dumbbell supports being profiled as platforms, allowing a user to grasp a handle of the dumbbell for lifting, the dumbbell supports being both laterally and vertically movable relative to the first and second side frames; and

a horizontal cross-support mechanism extending between the first and second side frames, the cross-support mechanism being vertically movable relative to the first and second side frames, and the pair of dumbbell supports laterally movably mounted on the cross-support mechanism.—

E) Cancel claim 35.

F) Amend claim 36 as follows:

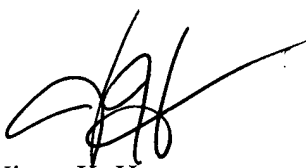
-- 36. (Currently Amended) The weightlifting apparatus of claim ~~35~~ 34, further comprising a positioning mechanism to define a laterally adjustable position along the cross-support mechanism.—

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor K. Hwang whose telephone number is (571) 272-4976. The examiner can normally be reached Monday through Friday from 7:30 AM to 4:00 PM Eastern time.

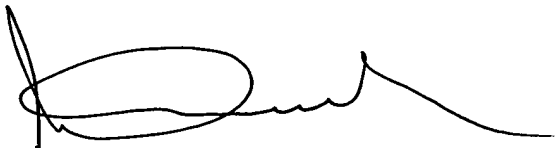
The facsimile number for submitting papers directly to the examiner for informal correspondence is (571) 273-4976. The facsimile number for submitting all formal correspondence is (571) 273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory L. Huson can be reached on (571) 272-4887.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Victor K. Hwang
September 23, 2005



JEROME W. DONNELLY
PRIMARY EXAMINER